

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

707A0508

## HOUSE BILL NO. 1151

Introduced by: Representatives Fiegen, Brooks, Chicoine, Hassard, and Roe and Senators  
Munson (David), Lawler, and Paisley

1 FOR AN ACT ENTITLED, An Act to require motor vehicle passengers under the age of  
2 eighteen to wear a seat belt.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 32-38-1 be amended to read as follows:

5 32-38-1. Except as provided in chapter 32-37 and § 32-38-3, ~~every~~ the operator and any  
6 front seat passenger of a passenger vehicle operated on a public highway in this state and any  
7 passenger of such a vehicle who is at least five years of age but younger than eighteen years of  
8 age shall wear a properly adjusted and fastened safety seat belt system, required to be installed  
9 in the passenger vehicle when manufactured pursuant to Federal Motor Vehicle Safety Standard  
10 Number 208 (49 C.F.R. 571.208) in effect January 1, 1989, at all times when the vehicle is in  
11 forward motion. The driver of the passenger vehicle shall secure or cause to be secured a  
12 properly adjusted and fastened safety seat belt system on any passenger ~~in the front seat~~ who is  
13 at least five years of age but younger than eighteen years of age. Any violation of this section is  
14 not a moving traffic offense under the provisions of § 32-12-49.1.